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Attorney for Defendant  
ROBERT KIRBY WELLS

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
ROBERT KIRBY WELLS,  
  
Defendant.

Case No. 2:21-cr-0164-WBS

**STIPULATION TO CONTINUE STATUS  
CONFERENCE AND EXCLUDE TIME  
UNDER THE SPEEDY TRIAL ACT;  
FINDINGS AND ORDER**

**DATE: March 13, 2023  
TIME: 9:00 a.m.  
COURT: Hon. William B. Shubb**

Defendant, ROBERT KIRBY WELLS, by and through his  
undersigned counsel, and Plaintiff United States of America, by  
and through its undersigned counsel, hereby stipulate as follows:

1. By previous order, this matter was set for status on  
March 13, 2023, and time was excluded through March 13, 2023,  
pursuant to 18 U.S.C. § 3161(h)(7)(A), (B)(iv) (Local Code T4).

2. By this stipulation, the parties jointly request that  
the Court continue the status conference to April 17, 2023, at  
9:00 a.m. The parties further request that the Court exclude  
time under the Speedy Trial Act from March 13, 2023, through  
April 17, 2023, pursuant to 18 U.S.C. § 3161(h)(7)(A), (B)(iv)

1 (Local Code T4).

2 3. The parties stipulate, and request the Court find the  
3 following:

4 a) Defense counsel has received 131,749 pages of  
5 discovery that include, among other things, investigative  
6 reports, financial records, and other business records, as well  
7 as the contents of two email accounts. Counsel for the defendant  
8 would like time to review the evidence, discuss resolution  
9 options, research sentencing issues, conduct independent factual  
10 investigations, and otherwise prepare for trial.

11 b) Counsel for defendant, ROBERT KIRBY WELLS,  
12 believes that failure to grant the above-requested continuance  
13 would deny counsel the reasonable time necessary for effective  
14 preparation, taking into account the exercise of due diligence.

15 c) The government does not object to the continuance.

16 d) Based on the above stated findings, the ends of  
17 justice served by continuing the case outweigh the interest of  
18 the public and the defendant in a trial within the original date  
19 prescribed by the Speedy Trial Act.

20 e) For the purpose of computing time under the Speedy  
21 Trial Act, 18 U.S.C. § 3161, et. seq., within which trial must  
22 commence, the time period of March 13, 2023, up to and including,  
23 April 17, 2023, is deemed excludable under 18 U.S.C. §  
24 3161(h)(7)(A), (B)(iv) (Local Code T4), as it results from a  
25 continuance granted by the Court at the defendant's request on  
26 the basis of the Court's finding that the ends of justice served  
27 by taking such action outweigh the best interest of the public  
28 and defendant in a speedy trial.

1 IT IS SO STIPULATED.

2  
3 DATED: March 8, 2023

Respectfully submitted,

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6 /s/ William J. Portanova  
WILLIAM J. PORTANOVA

7 Attorney for Defendant  
8 ROBERT KIRBY WELLS

9  
10 DATED: March 8, 2023

PHILLIP A. TALBERT  
United States Attorney

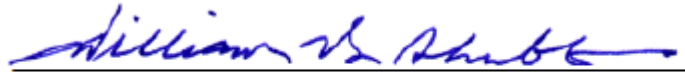
11  
12 /s/ Matthew Thuesen

13 MATTHEW THUESEN  
14 Assistant United States Attorney

15 **FINDINGS AND ORDER**

16 IT IS SO FOUND AND ORDERED.

17  
18 Dated: March 10, 2023

19   
20 WILLIAM B. SHUBB  
21 UNITED STATES DISTRICT JUDGE  
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